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August 18, 1997

Mrs. Blanca S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

RE: Docket No. 960786-TL

Dear Mrs. Bayo:

Enclosed is an original and fifteen copies of BellSouth's  
Objections to AT&T's First Interrogatories and Request for Production  
of Documents. We ask that this be filed in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate  
that the original was filed and return the copy to me. Copies have  
been served on the parties shown on the attached Certificate of  
Service.

Sincerely,

*J. Phillip Carver (kr)*  
J. Phillip Carver

Enclosures

|     |               |                       |
|-----|---------------|-----------------------|
| ACK | cc:           | All Parties of Record |
| AFA | _____         | A. M. Lombardo        |
| AFP | _____         | R. G. Beatty          |
| CAF | _____         | W. J. Ellenberg       |
| CMU | <u>Carver</u> |                       |
| CTR | _____         |                       |
| EAG | _____         |                       |
| LEG | <u>2</u>      |                       |
| LIN | <u>5</u>      |                       |
| OPC | _____         |                       |
| RCH | _____         |                       |
| SEC | <u>1</u>      |                       |
| WAS | _____         |                       |
| OTH | _____         |                       |

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**CERTIFICATE OF SERVICE**  
**DOCKET NO. 960786-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 18th day of August, 1997 to the following:

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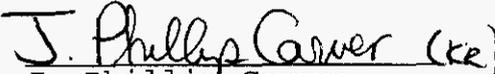
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J. Phillip Carver

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of )  
BellSouth Telecommunications, ) Docket No. 960786-TL  
Inc.'s entry into interLATA )  
services pursuant to Section 271 ) Filed: August 18, 1997  
of the Federal Telecommunications )  
Act of 1996 )  
\_\_\_\_\_ )

**BELLSOUTH'S OBJECTIONS TO AT&T'S FIRST INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc. ("BellSouth"), hereby files, pursuant to Order No. PSC-97-0703-PCO-TL, and the applicable Florida Rules of Civil Procedure, its Objections to AT&T's First Set of Interrogatories and First Request for Production of Documents, and states the following:

**OBJECTIONS**

1. BellSouth objects to the definitions and instructions in both the Interrogatories and Request for Production to the extent that they attempt to impose upon BellSouth a duty greater than that imposed by the Florida Rules of Civil Procedure relating to discovery and the case law interpreting those rules.
2. BellSouth objects to each and every discovery request to the extent that it seeks, or would require, the disclosure of information protected by the attorney-client privilege.
3. BellSouth objects to the manner of service of the subject discovery. Specifically, AT&T has apparently now adopted the routine practice of the Florida

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Competitive Carrier's Association of serving discovery requests and other pleadings after the close of business. In this particular instance, the interrogatories and production requests were received in BellSouth's office by hand delivery on the evening of Monday, August 11, 1997. The result of this manner of late service is to effectively deprive BellSouth of one day of the already extremely short period of time in which it must object and/or respond. The effect of this practice is even greater in light of the fact that AT&T has propounded upon BellSouth voluminous discovery at the last possible moment (the date by which all discovery must be completed in this case is August 22, 1997). Given this, BellSouth objects to producing responses, and more specific objections as set forth below, on August 21, 1997. Instead, BellSouth will provide additional responses and objections on August 22, 1997, i.e., ten days after the date upon which BellSouth effectively received service of the discovery.

4. Throughout the Interrogatories and Request for Production, AT&T has demanded that BellSouth provide information not only for Florida but also for the entire BellSouth region. BellSouth objects to this attempt to obtain information regarding BellSouth's operations outside of Florida. First of all, BellSouth objects because this overbroad request for non-Florida specific information converts what is already a burdensome demand for the production of voluminous information into a burden of truly staggering proportion. Secondly, to the extent that the primary issue in this case is whether BellSouth has satisfied the Competitive Checklist in Florida, information that does not relate to

BellSouth's operations in Florida is (in the absence of some specific reason to support the consideration of the information) irrelevant. AT&T has, however, not attempted to limit its requests in any such manner. Instead, it has made an across the board demand for information throughout the BellSouth region in almost every interrogatory. Again, this information is irrelevant and its production is burdensome.

5. Moreover, this attempt to obtain information from outside of Florida is particularly objectionable because, as this Commission is well aware, BellSouth has filed similar cases seeking relief pursuant to Section 271 in each of the nine states in its region. The respective Commissions in many of these states do not allow parties to propound written discovery. Given this, one can not discount the possibility that AT&T has propounded these overly broad discovery requests seeking information from other states, for the specific purpose of obtaining through this proceeding information about other states that it can not obtain in the context of the proceedings in those states. For this additional reason, AT&T's attempt is improper and should be rejected.

6. Finally, BellSouth objects to the Production of Documents, or the provision of information in response to Interrogatories to the extent that a response to these specific discovery requests is burdensome. Facially, the interrogatories appear to attempt to elicit information that either can not possibly be developed, or which could only be developed through an incredibly burdensome undertaking. Interrogatory No. 1, while scarcely the harshest

example, provides an example of the type of burden that AT&T is attempting to impose upon BellSouth. In order to answer this interrogatory, BellSouth would have to review every order placed by an ALEC in the state of Florida during 1997, and analyze every order to provide information responsive to four separate sub-parts. This interrogatory would then impose upon BellSouth the duty to review every order received in the entire BellSouth region from an ALEC to perform the same four part analysis. Thus, this single interrogatory has, in effect, eight sub parts, which can only be answered by reviewing every ALEC Order in the entire BellSouth region. Likewise, the request for production of documents, which in many instances follows closely the interrogatories, would appear on its face to call for the production of (to use an extremely conservative estimate) thousands of documents.

7. Because BellSouth has only had the effective opportunity to review these discovery requests for three and a half days at the time of this writing, it is not possible to know the full extent of the burden that AT&T is attempting to impose upon BellSouth. For this reason, BellSouth will utilize the remainder of the ten day response time to attempt to determine whether any of this discovery can be answered in the timeframe allowed and, if so, to quantify exactly how difficult it would be to answer the interrogatories and request for production within this timeframe. To the extent that a particular interrogatory or production request can be answered without undue burden, BellSouth will do so at the end of the ten day period (subject to the other objections set forth above, or any other

appropriate objections that cannot be raised until after the subject information is reviewed). However, to the extent that any given interrogatory or production request proves to be objectionably burdensome, BellSouth will so state on a request by request basis on August 22, 1997.

Respectfully submitted this 18th day of August, 1997.

BELLSOUTH TELECOMMUNICATIONS, INC.

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